

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KUOKWING WU,	:	
	:	
Plaintiff,	:	20 Civ. 5786 (LGS)
	:	
-against-	:	
	:	<u>ORDER</u>
EIGHT ORANGES, INC., et al.,	:	
	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Order dated August 3, 2020, scheduled the initial pretrial conference for September 24, 2020, and required the parties to file a proposed Civil Case Management Plan and Scheduling Order (“Case Management Plan”) and joint letter, seven days before the initial pre-trial conference, or by September 17, 2020, pursuant to this Court’s Individual Rule IV.A.2. Dkt. No. 7.

WHEREAS, the Order dated September 14, 2020, pursuant to the parties’ request (Dkt. No. 12), adjourned the initial pretrial conference scheduled for September 24, 2020, to October 8, 2020, and required the parties to file a proposed Case Management Plan and joint letter, by October 1, 2020. Dkt. No. 13.

WHEREAS, the parties failed to timely submit the Case Management Plan and joint letter.

WHEREAS, the Order dated October 2, 2020, adjourned the initial pretrial conference scheduled for October 8, 2020, to October 22, 2020, and directed the parties to file the joint letter and proposed Case Management Plan by October 15, 2020. Dkt. No. 16.

WHEREAS, on October 3, 2020, the parties filed a proposed Case Management Plan (Dkt. No. 18), but failed to timely submit the joint letter.

WHEREAS, the Order dated October 16, 2020, adjourned the initial pretrial conference scheduled for October 22, 2020, to October 29, 2020, and directed the parties to file the joint letter by October 20, 2020. Dkt. No. 19.

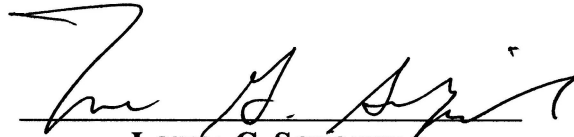
WHEREAS, the parties failed to timely submit the joint letter.

WHEREAS, a court “may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.” Fed R. Civ. P. 45(g). A court may punish contempt “by fine or imprisonment, or both, at its discretion.” 18 U.S.C. § 401. It is hereby

ORDERED that, by **October 26, 2020**, the parties shall file the joint letter. The joint letter is not to exceed five pages and shall provide the information outlined in the Court’s August 3, 2020, Order (Dkt. No. 7). It is further

ORDERED that, should the parties fail to submit the joint letter by October 26, 2020, counsel for all parties will be held in contempt and the case will be dismissed for failure to prosecute.

Dated: October 22, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE